

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
vs.) Case No. 20-06007-01-CR-W-DGK
)
JOSHUA HOWLAND,)
)
Defendant.)

**ORDER FOR DEFENDANT'S CUSTODIAL
ACCESS TO ELECTRONICALLY STORED DISCOVERY**

Pending is Defendant Joshua Howland's Motion for Order from the Court to Allow Defendant Custodial Access to Electronically Store[d] Discovery Information. Doc. 35. Defendant asks this Court to order his custodians, the United States Marshals Service and CoreCivic, to arrange for Defendant to have access to a secured laptop computer at CoreCivic, where Defendant is currently housed, in order to allow confidential and independent review of discovery. To adequately review discovery, independent and secure access to electronically stored material is necessary.

The secured laptop has been provided by the Federal Public Defender's ("FPD") office and has been inspected and approved by the United States Attorney's Office and the Regional Criminal Forensic Laboratory. The FPD's office is responsible for maintenance, and neither the United States Marshals Service nor CoreCivic is responsible for the content or condition of the equipment.

The laptop meets certain prerequisites agreed upon by the parties. Defense counsel has been granted access to the computer provided by the FPD. The FPD has provided a laptop with only certain programs installed that allow review of material but no alteration or additions. Wi-Fi and Bluetooth applications have been disabled. Once a review session is completed, the computer automatically refreshes to its previous state, removing any attempted modifications to settings or files.

Discovery from the United States Attorney's Office will be loaded onto a thumb drive. The thumb drive will be encrypted, and only Defendant will have the password. The thumb drive

and the computer will be securely housed by CoreCivic staff. Personal identification information of any person other than Defendant will be redacted from the reports.

It is ordered that Defendant shall be allowed at least ten hours of access to the discovery in the first thirty days after the thumb drive is delivered to CoreCivic. This review will occur in a room that is occupied solely by Defendant.

IT IS SO ORDERED.

DATE: December 18, 2020

/s/ W. Brian Gaddy
W. BRIAN GADDY
UNITED STATES MAGISTRATE JUDGE